

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of KEVIN G. McGIVERN and U.S. POSTAL SERVICE,
ROYAL OAK POST OFFICE, Birmingham, Mich.

*Docket No. 96-1262; Submitted on the Record;
Issued March 4, 1998*

DECISION and ORDER

Before MICHAEL J. WALSH, DAVID S. GERSON,
MICHAEL E. GROOM

The issue is whether appellant has met his burden of proof in establishing that he sustained an emotional condition in the performance of duty.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal, and the entire case record. The Board finds that the February 2, 1996 decision of the Office of Workers' Compensation Programs' hearing representative is in accordance with the facts and the law in this case and therefore adopts the findings and conclusions of the hearing representative.

The February 2, 1996 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.
March 4, 1998

Michael J. Walsh
Chairman

David S. Gerson
Member

Michael E. Groom
Alternate Member